

*Compulsory*

*Education.*



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COMPULSORY EDUCATION.



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## COMPULSORY EDUCATION.

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As to the propriety and value of public discussion on educational matters I find in the report of the Lords' Committee of the Privy Council on Education for the year 1897-98 the following remarks: "These changes (in school management and administration) have not been merely mechanical in their character; they are significant of far-reaching movements in public opinion and are the outcome of prolonged discussion on the principles of educational policy. . . . This growth of public interest has inevitably been accompanied by some controversy; but we believe that the full discussion of educational aims, and of administration difficulties, will ultimately be found to have conduced to the enlightened development of our educational resources."

It is a part of scientific method to take strict account of leading terms. What then is meant by "Education"? To define a technical term means to draw the line between what is meant to be included under it and what is meant to be excluded by it. Now when a term is really difficult to define, the most scientific writers first point out some of the main things which it is not intended to include, for example, Sir Frederick Pollock's attempt to define a tort. The word "Education" has been used in so many and such various senses that before we can decide whether education should be compulsory it is necessary that we arrive at some common definition of the term, so that we may know what it is that should or should not be compulsory.

John Stuart Mill includes under education the influence of external circumstances generally. To say that this influ-

ence should be made compulsory is to talk sheer folly, and, therefore, I know this is not what Dr. Inch meant us to understand by the word "Education" when in his official report for 1896 he used the following sentences : "The history of education for the last thirty years shows that the opposition to compulsory legislation which formerly prevailed is passing away and that the principle of compulsory education is steadily gaining ground. . . . I commend the subject to the consideration of the Legislature."

Sully says : "Education is to us essentially the action of other human beings on the child and this only so far as it is conscious and designed." This he says is too wide a definition for the purposes of his book and it is evidently too wide for our purpose, because, to say that the State should decide what influence the mother, for example, should consciously and designedly exercise on her children, and compel her to exercise that influence, is equally absurd.

I will not give the German definition, for that is based upon the conception that education should be compulsory, and, therefore, begs the question. Moreover, the German conception of a Government's proper sphere of action being altogether wider than the English, matters which might with perfect consistency be dealt with by the German Government might with equal consistency be denied to the English Government.

Here is Sully's definition, though he does not give it the form of a definition : "Education seeks by social influence, guidance and control to develop the natural powers of the child so as to render him able and disposed to lead a healthy, happy and morally worthy life." This definition is by one of the soundest of educational writers and as it does not include more than the advocates of compulsion intend the word education to include I think it may be fairly adopted.

Now what we really mean when we say that education should be compulsory, is, not that the children of the State



should be compelled to have their natural powers so developed by social influence, guidance and control as to render them (the children and the future men and women) able and disposed to lead healthy, happy and morally worthy lives, but that the parents in the State should be compellable to surrender their children to such social influence, guidance and control as the State supposes will so develop their powers as to render them able and disposed to lead healthy, happy and morally worthy lives.

This is the real question before us : "Should parents be compellable so to surrender their children?" The question with us is not, "Can they be so compelled? Have the Legislatures power to compel them?"—for about that there can be no question. "The Legislatures of a British Possession have legislative omnipotence." Mr. Justice Stephen says: "There is no legal remedy against oppressive legislation, though it may reduce men practically to slavery." 12 Q. B. D., 285. But the question is : "*Should the legislatures exercise their power to compel parents to surrender their children to such influences as before mentioned—such influences as the State supposes will develop the children's natural powers so as to render them able and disposed to lead healthy, happy and morally worthy lives.*"

Now for what does the State exist? Is it the business of the State to tell people how happy they shall be, or how morally worthy they shall be, or even how healthy they shall be? Surely not. The State was called into being and exists solely for the benefit of the individual, not to compel him to be benefited, because that is impossible,—the privilege of voluntary action being a greater blessing than anything that can be given in the place of it. It is not for the benefit of the State that the individual exists. For this statement I shall certainly be asked to give authority, and it is this : Blackstone, Bk. I, p. 124. "The first and primary end of human laws is to maintain and regulate those absolute

rights of individuals; for the principal aim of society is to protect individuals in the enjoyment of those absolute rights which were vested in them by the immutable laws of nature."

The State does not undertake to tell us what we shall do or leave undone for our own good, but only what we shall leave undone for the good of others, and what we shall do so that others may not be injured when we have already done something from which injury to them may follow; that is to say, the State prescribes our relative duties, but not our absolute duties—these latter are matters between ourselves and our own consciences, or between ourselves and God. But I must not presume to lay down a distinction so fundamental, so far-reaching in its effects, without citing authority. I will quote, then, what is probably the best human authority on the subject: Sir William Blackstone's Commentaries Bk. I, p. 124. "With regard to the absolute duties which man is bound to perform considered as a mere *individual*, it is not to be expected that any human municipal law should at all explain or enforce them. For the end and intent of such laws being only to regulate the behavior of mankind as they are members of society and stand in various relations to each other they have consequently no concern with any other but social or relative duties."

Mark you, then, we cannot say: "It is for an individual's own best interests that he should be educated—it is his absolute duty to render himself, 'as much as possible an instrument of happiness to himself,' therefore we will force education upon him." I think, then, were it not for our relative duties to one another as members of society, compulsory education might be unhesitatingly pronounced wrong in principle and a piece of tyranny on the part of the State. But our relative duties are not insignificant, and it is this fact that gives us pause. Relative duties and relative rights are not wholly different things, for if it be my duty



to act thus and so towards another, it is his right to demand that I so act towards him. Again, our absolute rights arise in part from our absolute duties. It is my absolute duty to worship God. I have an absolute right, then, to demand that I shall not be prevented from so doing. We have then three divisions: 1. Absolute duties, 2. Relative duties, 3. Absolute rights.

In regard to the first I have already shown that Legislatures should not meddle with them unless they wish to stamp themselves as tyrannical; in regard to the third, not only that the State should not take them from us, but that the first and primary object of its existence is to prevent their being taken from us; that is to say, to prescribe to individuals their relative duties, or to state it in another way, to define and enforce both their relative and absolute rights—the most essential of our relative duties being not to impede our fellows in the exercise of their absolute rights.

“By the absolute rights of individuals,” says Blackstone, “we mean those which are so in their primary and strictest sense such as would belong to their persons merely in a state of nature *and* which every man is entitled to enjoy whether out of society or in it—the natural liberty of mankind so far restricted by human laws (and no farther), as is necessary and expedient for the advantage of the public.” And this same he calls political or civil liberty, and goes on to say “That constitution or frame of Government, that system of laws is alone calculated to maintain civil liberty which leaves the subject entire master of his own conduct except in those points wherein the public good requires some direction or restraint.”

Under this passage I find the following remark by Edward Christian: “This section is one of the very few intelligible descriptions of liberty which have hitherto been communicated to the world,” etc. Yet if Sully’s definition

of education be correct this description of liberty is absolutely and palpably irreconcilable with the 1895 Act of the Nova Scotia Legislature in regard to compulsory attendance at school, which Act is being held up as an example for us to follow.

Blackstone says: "All laws ought to, and the laws of England actually do, take notice of these absolute rights (of individuals) and provide for their lasting security." And in the list of these absolute rights he places personal liberty second, personal security being first. But what liberty can at all compare with the liberty of directing one's own thoughts, pursuing whatever course of study one may choose, except it be the liberty of directing the thoughts of one's own children during their infancy? Yet this latter is the very liberty which the Nova Scotia Legislators have unblushingly attempted to wrench from the people.

It comes to this: Sully and Blackstone and the compulsory clauses in the Nova Scotia school law are, I submit, irreconcilable. According to Sully, Education includes many things which lie outside of Blackstone's definition of a Government's proper sphere of action. The Nova Scotia Legislature makes education compulsory. Therefore, *either one or another of them is wrong*. Is it likely that either of these two master minds of Sully and Blackstone would make a mistake in laying down his first principles on which he bases his luminous works to which the world looks up with reverence?

That the modern world does believe in and act upon these principles enunciated by Blackstone, though no one doubts it, let the following extract from the first April number of the Literary Digest, 1899, attest: "Official date has been secured from 150 American and 350 foreign cities by the Committee on Municipal Administration of the Reform Club, New York. Dr. Milo Ray Maltby presents this data

in an exceedingly valuable 200 page monograph towards the last of which he makes the following remarks: 'No one can have scanned, however hastily, the preceding pages, much less have considered in their manifold light the problems of City development which to the most hasty lie on the surface, without noting that uncertain and halting as may have been the process in any given case the tendency is clear and persistent; and this is at once toward the abandonment by the City of those functions through which it regulated the life of the individual for the real or assumed welfare of the State, the assumption of others in which the City ministers to individual convenience or interest, and the free distribution of the services. In other words, the old City was the sovereign of its people, the new one is their servant.'” I think this cannot be reconciled with the doctrine of compulsory education.

We may conclude, then, that compulsory education is wrong in principle. But let us see whether this conclusion is verified by the way a compulsory law works out in practice; for though a law may be shown to be wrong without applying that test, it cannot be proved to be right without doing so. The way it works is the last scientific test of its inherent qualities.

The following remark of Inspector Hughes in his report for 1897 may give us some inkling as to the way in which the compulsory attendance law works in Ontario: “The attendance is smaller than it should be, in my opinion owing to the fact that the police magistrate in Toronto has interpreted the statute in such a way as to make it practically impossible to get pupils sent from Toronto to the Industrial Schools. He has held that the parent is not legally responsible for the non-attendance of his child at school so long as he tells his child to go to school; and on the other hand he has held that he should not send any child to the

Industrial School unless the parent or guardian gives consent."

And the Honorable George W. Ross, Minister of Education for Ontario, in his report for 1898 speaks along the same line, thus: "In 1891 an Act was passed respecting truancy. The object of the Act was to secure the more regular attendance of pupils at the Public Schools, and particularly to deal with parents who neglected to send their children regularly to school. Under the Truancy Act, every child between eight and fourteen years of age is required to attend school during the whole year, unless excused under the conditions provided by the Act. Boards of Trustees are authorized to appoint truant officers and any person whose children do not attend school as provided in the Act is liable to the penalties provided by the Act."

"From the report hereto annexed (See Table M) it appears that 3,228 cases of truancy were reported in the whole Province, but that only 140 complaints were made before a magistrate and only 53 convictions obtained. In the City of Toronto although 1,056 cases were reported there were no complaints and consequently no convictions. In addition to the number reported by the truant officers 1,153 are reported as not attending any school. There is, therefore, evidently about 4,500 school children who are growing up without practically any education, notwithstanding that the whole Province is heavily taxed for school purposes. This condition of things is greatly to be regretted and calls for the immediate attention of the Legislature."

Now I looked at Table M, and it appears by that that there are about 150,000 of school age in Ontario who do not attend school at all, and about 70,000 between eight and fourteen years who do what is much worse, namely, attend school less than 100 days in the year.

Dr. McKay, Superintendent of Education for the Province of Nova Scotia, in his official Report for 1894 says:

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"The general Act of the Province is in fact not put into operation at all. While not in the meantime suggesting a new general Act until we have more time to study the problem, I must as I did last year again call attention to the success of the Halifax Act, especially in its modification for Dartmouth. I would, therefore, strongly recommend that a Town's compulsory attendance section based on the Dartmouth Act be added to the Consolidated Statutes, giving all incorporated towns the option of adopting the law. Parrsboro has already been informally asking for such legislation. Possibly we may find that the towns all over the Province may test the benefit of compulsory attendance at school before smaller sections will care to make the effort."

The Education Acts were consolidated in March, 1895, immediately after this report of the Superintendent had been laid before the Legislature, and the present compulsory clauses in the Nova Scotia school law came into operation on the last Monday in June following. The annual report for 1895 contains the following remarks with regard to them: "Quite a large number of sections promptly adopted the new compulsory attendance sections of the Educational Act of 1895. Inspectors will now be required to keep a careful record of each section adopting the law, for once adopted it is in force so long as the law remains." (You see that makes a good trap in which to catch the unwary). "Each year all sections which have not adopted the law must re-vote on it at the annual meeting, or be held in default of observance of the law, and, therefore, not entitled to receive any public money. The law is also more stringent than the old one requiring a minimum attendance of 120 days each year. The fines are to be added to and collected

with the sectional rates of the following year. The number of sections adopting the law, so soon after its promulgation proves that it is considered to be more efficient than the old law which was adopted in very few, if any, sections during the last few years. The success of the law will altogether depend upon the character of the administration of the trustees of the section which it often requires as much genius to govern effectively as some sovereign state. As a general rule the best sections within each inspectorate are among those which have already adopted the law and many have voted funds to carry the law out. From the annual Directory prepared by the inspectors after the annual meetings of the sections each County appears to have led off with the following numbers: Annapolis and Digby 89, Kings 53, Lunenburg 47, etc. The Towns' Compulsory Attendance Act has been adopted in several towns, such as Halifax, Dartmouth and Amherst."

The official report for 1896 contains no special reference to compulsory attendance. Several articles appeared in the Nova Scotia press that year under such headings as: "Law that cannot compel," "Failure of the Compulsory Education Act in Dartmouth," "Is the Compulsory Education Law another Failure?"

In his report for 1897, under "Compulsory Attendance," the Superintendent thus sums up the situation: "The reports of the Inspectors are to be found in Appendix B, beginning at page 57. They contain a summary of some of the more important matters engaging their attention during the year. To their testimony to the practical failure of the present Compulsory Attendance law to accomplish striking results, I shall alone call attention at this time. The law has been adopted by a large number of sections; but there appears to be great reluctance on the part of the trustees to proceed to fine parents for the non-attendance of their children. In Halifax and Dartmouth the law has had a marked



effect because business men who know how to act put the law into operation."

"Through the journal of Education, which goes to every board of school trustees in the province, I proposed a modification of our present law and asked for the opinion of trustees on the matter. I received but one communication, which was not in favor of the usefulness of the present system."

Inspector Craig, reporting for Cumberland and Gloucester, says:

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"This Act, as far as the country school is concerned, is a dead letter. A few more sections have adopted it, but a very large number in their ignorance of the law have attempted to repeal it and believe that they are free from its obligations."

One year ago the English House of Commons agreed to this proposal: "That as the present system of compulsion and prosecution had, for various causes, failed, a special court for truant cases be established, with special magistrates, to preside in them, be appointed."

With all this contrast the encouraging and cheery words of Doctor Inch in his Report for 1898:

"It is pleasing to notice that the figures of the two terms under review, in comparison with those of the preceding year, show a marked advance in every direction. The general expansion of the work, as shown by increased attendance, is not the only indication of progress. The higher average of attendance, the increase of pupils over 15 years of age, and the large increase in the grand total days attendance lead to the encouraging belief that parents are appreciating more clearly than before the advantages to their children of a regular and prolonged course at the public schools."

Now what say the statistics?\*

The number of enrolled pupils between 5 and 15 years of age increased between July, 1893, and July, 1895, by 4,381, between 1895 and 1897 the number increased 172, and the decrease last year was 514, while the increase in the number that did not attend school at all was 836. In Kings Co. in 1895 the number of enrolled pupils was 4,478, in 1897, 4,471.

In New Brunswick we have no compulsory attendance law. The increase in the number of enrolled pupils in 1897 over 1896 was 1,047. The percentage of enrolled pupils daily present on an average for the entire school year 1897 was 59.28 in this province (and in 1898 it was 62). In Nova Scotia in 1897 it was 54.29; in Ontario it was 56; in St. John and Fredericton the percentage was 79.72 and 84.65 respectively, and in Halifax and Dartmouth 67 and 75 respectively. In Quebec where there is no compulsory attendance law it was 76.

In his official report for 1896, Dr. Inch refers as follows to compulsory attendance: "That there is a growing sentiment in this province in favor of a compulsory attendance law seems to be unquestionable. It is recognized as a logical sequence of free schools and enforced taxation for their support that there should be an enforced attendance of the children for whom the schools have been provided. While such a law may involve increased expenditure and may prove difficult to enforce, it does not follow that the law should not be enacted. More than half the countries of Europe, twenty-eight States of the American Union, Ontario, Nova Scotia, Prince Edward Island, British Columbia and several of the Australian Provinces have enacted more or less stringent compulsory attendance laws and enforced them with greater or less effect. It is significant that no

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\* The compulsory clauses of the general law in Nova Scotia apply only to children between 7 and 14 years, inclusive; the Towns' Compulsory Act only to children between 6 and 16 years, inclusive, respectively.

country so far as I have been able to learn, having once adopted such a law, has abandoned it. I commend the subject to the consideration of the Legislature."

That the countries of Europe enacted certain laws may be a good reason why we should avoid similar enactments. They are despotisms and ours is a free country. Is it a logical sequence of government railroads that the people for whom they have been provided should be forced to travel by them? Is this logical sequence rule general or does it apply to schools only? Having brought a great advantage within the reach of another individual, is it logical for me to proceed forthwith to compel him to accept the advantage? Nova Scotia substituted a compulsory law in 1895 for the previous one which had proved a failure, and in 1898 the Superintendent of Education for that province recommended the substitution of a third law. Professor Calkin, of the Nova Scotia Normal School, says he fears it will fail just where Inspector Roscoe says the present law fails. I do not think it is very significant that no country having adopted such a law has abandoned it, for this reason, that these laws have been adopted in English-speaking countries so recently. Legislatures do not make and unmake laws with the rapidity of lightning, and the English Legislature seldom repeals a law, preferring to amend it to the point of annihilation.

Professor Painter, in his *History of Education*, written in 1886, says: "The subject of Compulsory Education has naturally elicited considerable attention, but at present educators are divided in their opinions. The opponents of the system say that it is essentially un-American; that it interferes with the rights of parents; that the difficulties of carrying it out are insuperable, and that its absence involves no danger to our institutions. The advocates of the system reply that ignorance is an evil which the State should remove; that the parent has no right to bring up his children

in ignorance; that the State has a natural right to enact any laws that may be necessary for self-protection, and that the compulsory system, both in this country and in Europe, has produced beneficial results. (a) The sentiment in favor of compulsory education seems to be growing. Connecticut, Massachusetts, Maine, Michigan, Texas, California and New Jersey (b) have adopted it, and in other States the subject is more or less discussed." It will be seen that of the 28 States which had enacted compulsory attendance laws when the Chief Superintendent of Education for New Brunswick wrote his report for 1896, 21 had done so within the preceding ten years.

The following extracts from a report of the speech of the Vice-President of the Committee of Council on Education in England delivered at Longton, North Staffordshire, in November, 1897, may give some idea of how the compulsory law is carried out in that great country:

"The Board Law of Great Britain that a child should attend between the ages of 5 and 14 years was an excellent law, but that law was made of none effect by the exemptions which were extremely intricate and puzzling. . . .

"Only three excuses for non-attendance were allowed. The first was that a child was being satisfactorily taught elsewhere, the second was sickness and the third was that no school existed within a distance—usually put at two miles—which the child could conveniently attend. . . . In many places where education was most wanted, justices

(a) By what standard do they judge results? If by the absence of illiteracy I submit that that is not the proper standard. "I do not make any broad distinction between the illiterateness of my townsmen who cannot read at all and illiterateness of him who has learned to read only what is for children and feeble intellects." Thoreau. Prussia has had compulsory school attendance laws for several generations, yet the Prussians did not treat their own soldiers as well during the Franco-Prussian War as the Americans treated their enemies during the Civil War, or during the recent war with Spain.

(b) Of these seven States all but Texas had nearly 2 per cent, less of the population at school in 1890 than in 1880, while the percentage at school for the United States was greater in 1890 than in 1880.

who were supposed to administer the law very frequently refused to convict and impose the fines which the law prescribed, and in many districts, particularly in rural districts, the attendance officers, appointed ostensibly to see the law carried out, were appointed really to take care that the law should be violated with impunity. (Laughter.) He could produce numerous cases, particularly in the country parishes, where the members of the School Board themselves were the greatest violators of the law and where the attendance officer knew very well that he only held place on condition that he should not put the law in force. (Renewed laughter.)”

No wonder they laughed. The Legislature first says to the people: “You’re a lot of ignoramuses; you don’t know the value of education,” and then concludes: “Therefore appoint one of your own number to fine you when you don’t send your children to school.” Could anything be more ridiculous?

The report continues: “If parents all over the country were really alive to the true interests of their children, regularity of attendance at school would not need any law to enforce it.”

Why, here’s the key to the problem! The problem is: How shall we get parents to send their children to school regularly? The answer is: By waking them up to the true interests of their children. This inference is logical and irresistible. We have come to this: that until parents all over the country have been aroused to the true interests of their children a compulsory law cannot be enforced and when they have been so aroused it will be unnecessary.

But how can parents be got to see the importance of the regular attendance of their children at school? There is one way in which this certainly cannot be done. It cannot be done by fining them. It is just as senseless to fine a parent for not seeing the importance of education as it would be to

fine a child for not learning his lesson. The natural way to induce a child to learn is to TEACH him, and common sense would seem to suggest that such might possibly be the way to induce a parent to learn. And this suggestion is backed up by high authority, indeed by the very highest authority in this country.

The Chief Superintendent of Education, speaking of County Teachers' Institutes (in his official report for 1895, p. 58) says:

"The attendance of parents and trustees at the Institutes creates a spirit of co-operation and sympathy between those whose joint efforts are essential to the highest success. The interest taken in the public meetings on such occasions, the large attendance, the disposition manifested on all hands to honor the teachers for their work's sake, cannot fail to have a stimulating influence on teachers, parents, and trustees alike."

Now I understand that the teachers are contemplating the formation of Parish and City Associations and some have already been formed. There are many such associations in the Province of Nova Scotia. Why not make all parents and trustees eligible for membership in these Institutes and Associations? The Dominion Educational Association has set a good example in this respect. (See last page of the Educational Review for May, 1898). I am quite certain that all intelligent parents would be anxious to meet and consult with the teachers of their children. This was suggested on the 20th of May, 1898, at Westfield, in the first of a series of educational meetings held by Inspector Carter last year, and the suggestion has already borne fruit. I quote from Inspector Carter's report:

"Believing that there is greater need of bringing the aims and objects of the public schools to the notice of parents, and inducing a deeper interest and co-operation of



the home and school, I have, as time and opportunity permitted, held public meetings throughout my district.

"The interest in and attendance at these meetings have been quite beyond my expectations, and school officers, teachers and parents have united to assist. Halls and churches have in every case been placed at our disposal. Meetings were held in the following places: Westfield Station, Kings Co.; Grand Harbor, Grand Manan, etc.

"In some cases, as one result of these educational meetings, Parish associations of teachers, school officers and parents have been formed for the purpose of furthering the interests of the schools and welfare of the communities."

"Associations have already been organized at Westfield, Grand Manan, Deer Island, St. Stephen and Lancaster."

In further support of the view that parents and trustees should be eligible for membership in these Institutes and Associations let me quote from the report of a speech made by Sir John Grost during the last "Parliamentary Recess" in England:

"Then there were the reformers, who tried to make the best of things as they were, and he confessed that in education he belonged to that class of reformers. They took the law as it stood and tried, by natural agreement, to make education better. There was no difficulty in any city or county of England, if the people engaged in Education would only come together and agree upon a joint scheme for the general benefit of the district. . . ."

I would also call attention to the results of the Spartan and the Athenian educational systems respectively. The Spartan system may be said to have been the embodiment of compulsory education, and it produced warriors and naught else. With regard to the Athenian system, Prof. Painter observes: "The State had no further connection with education than to maintain a general supervision over the schools, and to provide gymnasia for the physical training

of the youth. Education was an individual interest, and it was left to the wisdom or ability of the father to determine what culture his sons should receive. But, as the popular sentiment was highly favorable to the cause of learning, education was general among the freemen. Even those who received no formal school training were not left wholly without culture; for, in the democratic city of Athens the people mingled freely together, and the numerous works of art had an elevating influence."

Sir J. G. Wilkinson, in his "Manners and Customs of the Egyptians," says: "Hence it appears that they were not confined to any particular rules in educating their children and it depended upon a parent to choose the degree of instruction he deemed most suitable to their mode of life and occupations as among other civilized nations."

My idea is this: First make the schools well worth attending, then bring home to the minds of the parents the great advantage of their children's attending them. Without the first, compulsory attendance is clearly and palpably wrong; without the second it is impossible; with both it will be unnecessary.

I have reached my conclusion; but I may be pardoned for calling attention to what seems to me a fundamental distinction which appears to be entirely overlooked by the school officials both in Nova Scotia and in New Brunswick. Though this oversight on the part of the Nova Scotia Legislature has lately made our sister province resound with lamentations, yet to one with a sense of humor it does seem a little comic.

The people had for many years complained of a certain grievance. The Legislature, purporting to redress their grievance, did in its wisdom and in the fulness of time proceed to deal with an entirely different matter, in a way which was well calculated to increase the evil of which the people complained, and which immediately had that effect.

The people complained exclusively of IRREGULARITY OF ATTENDANCE. The Legislature proceeded to deal exclusively with NON-ATTENDANCE, passing a law against it, which came into force on the last Monday in June, 1895. By July 1st, 1896, the evil of irregularity had increased two per cent., whereas during the previous year it had decreased three per cent. In 1897 the law seems to have been entirely disregarded. For example, in Lunenburg County, Inspector MacIntosh reports 605 children that did not attend school at all during the year, and Professor Calkin thinks that the number of such for the Province would probably be about 10,000. What is the result of this disregard of the law by those for whom it was especially intended? The percentage of enrolled pupils daily present on an average increases three and one-half per cent.

The substance of the compulsory attendance law, so far as it affects the country schools, is contained in sections 76, 77 and 79 of Ch. 1 of the Acts of 1895, which read as follows:

Sec. 76: "In every school section in which the provisions of sections 76 to 83, inclusive, have not been adopted, it shall be the duty of the chairman of each annual school meeting held under the provisions of this chapter to call upon the qualified voters present at such meeting to vote Yea or Nay on the resolution embraced in Schedule B.

#### SCHEDULE B.

"Resolved that the provisions of sections 76 to 83, inclusive, of Chapter 1 of the Statutes of 1895, shall be made operative in this school section."

Sec. 77: "Whenever a majority of the qualified voters present shall have voted in favor of the resolution embraced in the Schedule aforesaid it shall be the duty of the trustees of schools (S. 79) to ascertain as soon as possible after

the close of the school year how many of the children of the section have not been at school during the school year for the period of one hundred and twenty full days, and to impose upon the parents or guardians of such children a fine of two dollars for each child who has attended school no portion of the year, and PRO RATA in the case of each child who has attended school but has not reached the period of one hundred and twenty full days."

Now since there are 216 teaching days in the school year, it will be seen that a child may comply with the law by coming to school three days in each week. This is just the kind of attendance exactly which is the bane of the schools, as every teacher will tell you. A does not complain because B's children are growing up in ignorance; his complaint is that those children are preventing his from obtaining an education. And A may now cite you very high authority to prove that his opinion is well founded. Sir John Gorst, Vice-President of the Committee of Council on Education, in November, 1897, declared that "it was IRREGULARITY of attendance which most kept down the efficiency of a school and caused waste in the provision made by the public for education." And in his official report for 1898 he adds: "Irregular attendance inflicts the greatest possible injury upon voluntary education, because it not only injures the child, but also the school." In England the average is 81 per cent. With what emphasis then does the Vice-President's remark apply to the country schools of New Brunswick and Nova Scotia, where the general average must certainly be under 40 per cent. I think he would say that such irregularity must render those schools pretty nearly useless. My own opinion is that it does away with at least two-thirds of what would otherwise be their usefulness.

The distinction to which I am referring seems to have been struggling for recognition in the mind of the author of

a very amusing and ludicrous article entitled, "Prolonged School Attendance," which appeared in the *Educational Review* in May, 1898. It is unmistakably indicated in the following sentences from Mr. Justice King's written address to Dalhousie University, delivered in convocation in September, 1897:

"In the first place there are two measures of value that I think may be fairly applied to the work of a University or other like instrument of progress. You may in the first place require of it, or test it by its production of a HIGH AVERAGE of attainment in those coming within its sphere of influence. This much is required of any workman or of any MACHINE. . . . But there is another measure of value for the University and this concerns itself not with high average, but with HIGH MAXIMUM.

"Well," you may answer me, "if you believe that high maximum is unattainable under present conditions—if you say that the country schools of this province are by irregularity of attendance shorn of two-thirds of what might be their usefulness, what remedy do you propose for such a monstrous evil?" It is no part of my business to propose remedies; but I would with great deference suggest as preliminary to the discovery of a remedy that people turn their attention to the discovery of the real nature and seriousness of the malady.

HENRY W. ROBERTSON.

St. John, N. B., May 1st, 1899.







